

## **REMARKS**

### **Introduction**

Claims 1-7 were originally pending in this application. Claim 8 was added in response to a previous Office Action. Claim 5 was canceled in response to a previous Office Action. In response to the October 4, 2004 Office Action, claim 1 has been amended. No new matter has been added. Accordingly, claims 1-4 and 6-8 remain pending for consideration in this application.

### **Claim Rejections**

Claims 1-4 and 6-8 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,995,347 issued to Kohler. A claim is said to be anticipated where each and every limitation of the claim can be found in a single reference. Claim 1 has been amended to more particularly describe the invention. Support for the amendment to independent claim 1 can be found, for example, at page 1, lines 16-17 and Figures 1, 5, and 6. As such, no new matter has been added. Applicant respectfully submits that the invention described in independent claim 1, as amended, is not disclosed or suggested by the Kohler '347 patent. Accordingly, the rejections based on 35 U.S.C. § 102(b) are respectfully traversed.

### **The Kohler '347 Patent**

The Kohler '347 patent discloses a windshield wiper blade assembly 50 with a yoke 2, a wiper blade 22, and a spring bar 9. (Col. 2, ll. 38-39, 50-53 and Col. 3, ll. 1-4). The yoke 2 includes an undersurface 1 facing toward the windshield and a plurality of blade support means 6, which each include a holding portion 6a that is spaced away from the undersurface 1. (Col. 2, ll. 42-49). The wiper blade 22 includes a base portion 22b that is mounted to the yoke 2. More specifically, the base

portion 22b abuts against the plurality of holding portions 6a, and the spring plate 9 is disposed between the base portion 22b and the undersurface 1 so as to mount the wiper blade 22 to the yoke 2. (Col. 2, ll. 67-68 and Col. 3, ll. 1-5). However, the Kohler '347 patent does *not* disclose or suggest a windscreen wiper with a beam having a top side facing away from the windscreen and a bottom side facing toward the windscreen and a rubber blade mounted to the beam such that *a top side of the rubber blade abuts against the bottom side of the beam*.

### **The Windscreen Wiper of the Present Invention**

In contrast to the related art, amended independent claim 1 clarifies the invention claimed as a windscreen wiper for a windscreen that includes a unitary elongate curved beam with a top side facing away from the windscreen and a bottom side facing toward the windscreen. The windscreen wiper also includes a rubber blade mounted to the beam such that *a top side of the rubber blade abuts against the bottom side of the beam*. The beam has a protective end formation at at least one of its tips. The curved beam has a varying thickness, and the end formation has a deformed end portion of the beam that projects beyond and is spaced from an end portion of the rubber blade.

### **Argument**

Applicants respectfully submit that the windscreen wiper of claim 1, as amended, is not disclosed or suggested by the Kohler '347 patent. Specifically, the Kohler '347 patent *merely* discloses a windshield wiper assembly with a spring plate 9 that biases a wiper blade 22 against a plurality of holding portions 6a so as to mount the wiper blade 22 to a yoke 2. However, the Kohler '347 patent does not disclose or suggest a windscreen wiper with a beam having a top side facing away from the windscreen and a bottom side facing toward the windscreen and a rubber blade

mounted to the beam such that a top side of the rubber blade abuts against the bottom side of the beam. In each embodiment disclosed in the Kohler '347 patent, the spring bar 9 is disposed between the underside 1 of the yoke 2 and the wiper blade 22 such that the wiper blade 22 does not abut against the underside 1 of the yoke 2. Also, although the wiper blade 22 abuts the holding portions 6a, the holding portions 6a are not the "bottom side of the beam" as required by claim 1 because the holding portions 6a do not "face toward the windscreen" as required by claim 1. Accordingly, the Kohler '347 patent does not disclose or suggest a windscreen wiper blade with a top side facing away from the windscreen and a bottom side facing toward the windscreen and a rubber blade mounted to the beam such that *a top side of the rubber blade abuts against the bottom side of the beam*.

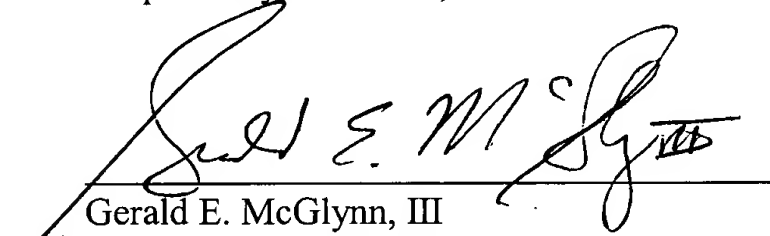
The Kohler '347 patent fails to disclose a windscreen wiper for a windscreen that includes an elongate curved beam with a top side facing away from the windscreen and a bottom side facing toward the windscreen, and a rubber blade mounted to the beam such that a top side of the rubber blade abuts against the bottom side of the beam, wherein the beam has a protective end formation at at least one of its tips, the curved beam has a varying thickness, and the end formation includes a deformed end portion of the beam that projects beyond and is spaced from an end portion of the rubber blade as claimed by applicant in claim 1. Therefore, it is respectfully submitted that claim 1 is allowable over the rejection under 35 U.S.C. § 102(b).

Claims 2-4 and 6-8 are each ultimately dependent upon claim 1 and add perfecting limitations. Therefore, it is respectfully submitted that claims 2-4 and 6-8 are each allowable over the rejections under 35 U.S.C. § 102(b).

**Conclusion**

In view of the above, applicant respectfully submits that the claims clearly distinguish over the prior art and are therefore allowable. Accordingly, applicant respectfully solicits the allowance of the claims pending in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald E. McGlynn, III", is written over a horizontal line.

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